

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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| IN RE: LOWER MANHATTAN DISASTER SITE | : | 21 MC 102 (AKH) |
| LITIGATION                           | : |                 |
|                                      | : |                 |

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|-------------------|---|------------------|
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| FREDDY ASTUDILLO, | : | 07-CV-1463 (AKH) |
|                   | : |                  |
| Plaintiff,        | : |                  |
|                   | : |                  |
| -against-         | : |                  |

|  |   |                              |
|--|---|------------------------------|
| 100 WALL STREET COMPANY LLC, 55 WATER      | : |                              |
| STREET CONDOMINIUM, 63 WALL STREET         | : |                              |
| INC, 63 WALL, INC., 90 CHURCH STREET       | : |                              |
| LIMITED PARTNERSHIP, ALAN KASMAN DBA       | : | <b>FGP 90 WEST STREET,</b>   |
| KASCO, AMBIENT GROUP, INC., ANN TAYLOR     | : | <b>INC.'S NOTICE OF</b>      |
| STORES CORPORATION, BANKERS TRUST          | : | <b>ADOPTION OF ANSWER TO</b> |
| COMPANY, BATTERY PARK CITY                 | : | <b>MASTER COMPLAINT</b>      |
| AUTHORITY, BELFOR USA GROUP, INC.,         | : |                              |
| BLACKMON-MOORING-STEAMATIC                 | : |                              |
| CATASTROPHE, INC. D/B/A BMS CAT, BOARD     | : |                              |
| OF EDUCATION OF THE CITY OF NEW YORK,      | : |                              |
| BOSTON PROPERTIES, INC., BROOKFIELD        | : |                              |
| FINANCIAL PROPERTIES, INC., BROOKFIELD     | : |                              |
| PROPERTIES, LP, BROOKFIELD PARTNERS LP,    | : |                              |
| BROOKFIELD PROPERTIES CORPORATION,         | : |                              |
| BROOKFIELD PROPERTIES HOLDINGS INC.,       | : |                              |
| BROWN BROTHERS HARRIMAN & CO., INC.,       | : |                              |
| BT PRIVATE CLIENTS CORP., DEPARTMENT       | : |                              |
| OF BUSINESS SERVICES, DEUTSCHE BANK        | : |                              |
| TRUST COMPANY AMERICAS, DEUTSCHE           | : |                              |
| BANK TRUST CORPORATION, ENVIROTECH         | : |                              |
| CLEAN AIR, INC., FGP 90 WEST STREET, INC., | : |                              |
| GPS ENVIRONMENTAL CONSULTANTS, INC.,       | : |                              |
| HARRAH'S OPERATING COMPANY, INC.,          | : |                              |
| HILLMAN ENVIRONMENTAL GROUP, LLC.,         | : |                              |
| HILTON HOTELS CORPORATION, INDOOR          | : |                              |
| ENVIRONMENTAL TECHNOLOGY, INC.,            | : |                              |
| KASCO RESTORATION SERVICES CO., KIBEL      | : |                              |
| COMPANIES,                                 | : |                              |

MANUFACTURERS HANOVER TRUST :  
 COMPANY, MERRILL LYNCH & CO., INC., :  
 MSDW 140 BROADWAY PROPERTY L.L.C., :  
 NEW WATER STREET CORP., NEW YORK CITY :  
 SCHOOL CONSTRUCTION AUTHORITY, :  
 NOMURA HOLDING AMERICA, INC., NOMURA :  
 SECURITIES INTERNATIONAL, INC., :  
 RECKSON CONSTRUCTION GROUP NEW :  
 YORK, INC., STRUCTURE TONE (UK), INC., :  
 STRUCTURE TONE GLOBAL SERVICES, INC., :  
 THE BANK OF NEW YORK TRUST COMPANY :  
 NA, TISHMAN INTERIORS CORPORATION, :  
 TOSCORP INC., TRIBECA LANDING L.L.C., :  
 TUCKER ANTHONY, INC., TULLY :  
 CONSTRUCTION CO., INC., TULLY :  
 INDUSTRIES, INC, VERIZON NEW YORK, INC., :  
 WESTON SOLUTIONS, INC., WFP TOWER A :  
 CO., WFP TOWER CO. G.P. CORP., WFP TOWER :  
 A CO., L. P., WFP TOWER B CO. G.P. CORP., :  
 WFP TOWER B HOLDING CO., LP, WFP TOWER :  
 B. CO., L.P., WFP TOWER D CO. G.P. CORP., :  
 WFP TOWER D HOLDING CO. I L.P., WFP :  
 TOWER D HOLDING CO. II L.P., WFP TOWER D :  
 HOLDING I G.P. CORP., and WFP TOWER D CO., :  
 L.P. ET AL, :

Defendants. :

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PLEASE TAKE NOTICE THAT Defendant FGP 90 West Street, Inc., by its attorneys, DLA Piper US LLP, as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopts FGP 90 West Street, Inc.'s Answer to Master Complaint dated August 3, 2007, which was filed in the matter *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that FGP 90 West Street, Inc.'s Answer to the Master Complaint does not comprehensively address any of the allegations set forth in the Check-Off Complaint filed in the above-captioned matter, FGP 90 West Street, Inc. denies knowledge or information sufficient to form a belief as to the truth of such allegations.

WHEREFORE, FGP 90 West Street, Inc. demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York.  
February 4, 2008

By: s/ Keara M. Gordon  
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